

IN THE DISTRICT COURT OF OTTAWA COUNTY
STATE OF OKLAHOMA

FILED
DISTRICT COURT
OTTAWA CO. OKLA.

SEP 21 2015

CASSIE KEY COURT CLERK

ADAM V. REED,

Plaintiff,

-vs-

BEN E KEITH COMPANY, a Foreign
Corporation

Defendant.

BY _____

Case No.: CQ-15-119

PETITION

COMES NOW the Plaintiff and for Plaintiff's cause of action against the Defendant states:

1. Plaintiff is a citizen and resident of the state of Oklahoma, residing in Ottawa County, Oklahoma.
2. Defendant is a foreign corporation organized and existing pursuant to the laws of the state of Texas, but domesticated in Oklahoma for purposes of doing business.
3. This Court has both the required jurisdiction and venue of the parties and subject matter.
4. For two (2) years prior to March 13, 2013, Plaintiff was an employee of Defendant employer working and qualified as a delivery driver.
5. On March 13, 2013, the Plaintiff sustained a work-related injury to his right leg which ultimately resulted in Plaintiff having a substantial disability which limits Plaintiff from the major life activities of prolonged standing or walking and no kneeling or squatting.
6. Defendant refused to allow Plaintiff to return to work after Plaintiff's completion of surgical medical treatment for the work-related injury.

EXHIBIT

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7. Plaintiff made requests for accommodations that would allow Plaintiff to perform the essential functions of his prior job, or, in the alternative, for transfer to another specific job for which he was qualified and which he could physically perform.

8. Defendant declined to enter into any meaningful discussions regarding providing accommodations and fired Plaintiff because of his disabilities.

9. Plaintiff timely filed a Charge of Discrimination with the Equal Employment Opportunity Commission and has received a Right to Sue letter on June 30, 2015, which is within 90-days next preceding the filing of this action.

10. As a result of the unlawful disability discrimination of Defendant, Plaintiff has sustained and continues to sustain loss of income earnings, both past and future and has sustained other damages.

11. The Defendant's actions were willful, wanton, malicious, and /or grossly negligent, for which Defendant should be punished by and award of Punitive damages.

WHEREFORE, premises considered, Plaintiff, Adam V. Reed, prays for judgment for actual damages against the Defendant in an amount in excess of \$75,000, and for punitive damages in an amount in excess of \$75,000.

ADAM V. REED

By 

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Attorney for Plaintiff

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